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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/995,715 12/22/97 GENNADIEVICH

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WM02/0404

EXAMINER

BRIER, J

ART UNIT

PAPER NUMBER

2672

DATE MAILED:

04/04/01

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NEW YORK NY 10022

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/995,715

Applicant(s)

GENNADIEVICH, IVANOV
ANATOLY

Examiner

Jeffery A. Brier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/21/2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26, 27, 29, 32, 33, 36, and 38-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26, 27, 29, 32, 33, 36, and 38-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/22/97 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

Drawings

1. Applicants proposal to correct the drawings at a later date is noted. The drawing filed on 12/22/97 are objected for the reasons of record.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 38, 26, 27, 39, 29, 46, 40, 41, 36, 32, 33, 44, 47, 42, 43, and 45 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The pending claims are not supported by the specification because on page 20 lines 11-15 of the specification states that "Though passive element block deflecting systems can provide higher resolution because of more simple construction of block deflecting system matrix elements, and consequently possible higher degree of compression of the complimentary scanning screen image, scanning with a transformation cannot be implemented." It is not clear what is meant by transformation, but it is known that modulation is a form of transformation and that the claims a passive BDS with modulation. Thus, the specification did not convey that applicant had

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possession of passive elements that perform raster multiplying and an array of controllable light modulators between the passive multiplier and the display plane.

The pending claims are not supported by the specification because on page 11 lines 17-25, page 12 lines 4-6, page 17 lines 12 and 13, and page 20 lines 4-7 describes scanning the blocks in sequence which is opposite to applicants arguments (argument d on page 9 and argument d on page 10) and the currently pending claims. Page 16 lines 8-13 describes scanning the several blocks at the same time but it does not describe scanning all of the blocks at the same time. Thus, the specification did not convey that applicant had possession of the claimed invention.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 39, 29, and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Furness, III et al., U.S. Patent No. 5,467,104.

Figures 5-8 illustrate an LED or laser block display which forms the image with the use of deflectors. Figure 5-8 of Furness illustrates an embodiment that comprises:

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means for generating raster elements (200); a system for parallel multiplying of raster elements (figure 7 or 8); means for simultaneously transmitting said multiplied raster elements (figure 8); and an array of controllable modulators (200).

6. Claims 42-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Thompson et al., U.S. Patent No. 5,506,597.

Figure 6 of Thompson illustrates an embodiment that comprises: means for generating raster elements (316); a system for parallel multiplying of raster elements (330,340); means for simultaneously transmitting said multiplied raster elements (320, 330); and an array of controllable modulators (316).

Response to Arguments

7. Applicant's arguments filed 03/21/2001 have been fully considered but they are not persuasive.

The arguments against Furness are not persuasive because:

Argument a):

The retina is a display plane because it is where the raster image is formed.

Arguments b-e):

These arguments are not persuasive because claims 39, 29, and 46 do not have the argued limitations.

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The arguments against Thompson are not persuasive because:

Argument a)

Since the beams are made smaller then the resolution has been increased;

Arguments b-f)

These arguments are not persuasive because claims 42-45 do not have the argued limitations.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

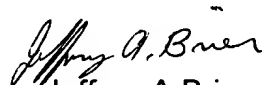
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A Brier whose telephone number is (703) 305-4723. The examiner can normally be reached on M-F from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached on (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.


Jeffery A Brier
Primary Examiner
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